

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

AVERY L. SMITH,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	2:17cv29-MHT
	)	(WO)
CORIZON HEALTH SERVICES,	)	
et al.,	)	
	)	
Defendants.	)	

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff Avery L. Smith, a state prisoner, filed this lawsuit asserting that he has received inadequate medical care. This case is before the court on the motion of defendant Tai Q. Chung, a free-world physician, to dismiss the claims against him for lack of subject-matter jurisdiction. The court entered an order to show cause as to why the motion should not be granted, and Smith did not respond. (In addition, Smith previously had stated that he had no opposition to Chung being granted leave to file a motion to dismiss (doc. no. 106).) Accordingly,

and upon review of the motion, the court concludes that the motion to dismiss should be granted.

An appropriate judgment will be entered.

DONE, this the 22nd day of November, 2017.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE